

ASSEMBLY, No. 2306

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 7, 2022

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Directs State Agriculture Development Committee to establish limited transfer of development rights program for permanent retirement of certain residential development rights on preserved farmland.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning transfer of development rights for certain
2 permitted residential development on preserved farmland, and
3 supplementing P.L.1983, c.32 (C.4:1C-11 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. Notwithstanding any law, or rule or regulation adopted
9 pursuant thereto, to the contrary, the State Agriculture Development
10 Committee shall establish a limited transfer of development rights
11 program for owners of preserved farmland with areas of property
12 permitted to be developed for residential development. The limited
13 transfer of development rights program shall be consistent with the
14 "State Transfer of Development Rights Act," P.L.2004, c.2
15 (C.40:55D-137 et seq.) or any applicable transfer of development
16 rights program created otherwise by law, except as otherwise
17 provided in this section.

18 b. In consultation with appropriate municipal, county, and State
19 entities, the State Agriculture Development Committee shall
20 develop guidelines, rules or regulations, concerning the permanent
21 retirement and transfer of residential development rights on
22 preserved farmland. These guidelines, rules or regulations, shall
23 include, but need not be limited to, provisions for the application
24 and approval process for such transfers, and the identification of
25 appropriate preserved farmland properties and the areas or
26 properties to receive the development rights.

27 c. As used in this section, "preserved farmland" means land on
28 which a development easement was conveyed to, or retained by, the
29 State Agriculture Development Committee, a county agriculture
30 development board, a county, a municipality, or a qualifying tax
31 exempt nonprofit organization pursuant to the provisions of section
32 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of P.L.1988, c.4
33 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of
34 P.L.1999, c.180 (C.4:1C-43.1), sections 37 through 40 of
35 P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), or any other
36 State law enacted for farmland preservation purposes.
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38 2. This act shall take effect immediately.
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41 STATEMENT

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43 This bill authorizes the State Agriculture Development
44 Committee (SADC) to establish a limited transfer of development
45 rights program for owners of preserved farmland with areas of
46 property permitted to be developed for residential development.
47 The program would provide for the permanent retirement of these
48 rights by their transfer to SADC approved receiving areas or
49 properties.